

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission,	:	
On its own Motion,	:	
	:	06-0525
Consideration of the federal standard	:	
On Interconnection in Section 1254 of the	:	
Energy Policy Act of 2005.	:	

ORDER

By the Commission:

On July 26, 2006, the Commission commenced this proceeding to commence consideration of 16 U.S.C. 2621(d)(15). This statute provides, in pertinent part:

(15) Interconnection. – Each electric utility shall make available, upon request, interconnection service to any electric consumer that the electric utility serves. For purposes of this paragraph, the term 'interconnection service' means service to an electric consumer under which an on-site generating facility on the consumer's premises shall be connected to the local distribution facilities. Interconnection services shall be offered based upon the standards developed by the Institute of Electrical and Electronics Engineers: IEEE Standard 1547 for Interconnecting Distributed Resources with Electric Power Systems, as they may be amended from time to time. In addition, agreements and procedures shall be established whereby the services are offered shall promote current best practices of interconnection for distributed generation, including but not limited to practices stipulated in model codes adopted by associations of state regulatory agencies. All such agreements and procedures shall be just and reasonable, and not unduly discriminatory or preferential.

(16 U.S.C. Sec. 2621(d)(15)). The standard in question would require an electric utility to make interconnection services available upon request to any electric consumer that the utility serves based upon Institute of Electrical and Electronics Engineers ("IEEE") Standard 1547. (16 U.S.C. 2621(d)(15)). IEEE Standard 1547 establishes the technical specifications for, and testing of, interconnection. It sets forth requirements regarding the performance, operation, testing, safety and maintenance necessary for interconnection. These criteria and requirements are applicable to all technologies with the aggregate capacity of 10 MVA or less at the point of common coupling. (See, IEEE Standard 1547 at p. 2, Section 1.3 Limitations.).

On July 25, 2007, this Commission issued an Interim Order whereby it considered IEEE Standard 1547 and adopted it. In that Order, however, the Commission noted that there are many more issues involved in interconnection than just determining whether IEEE Standard 1547 should be utilized. (Interim Order at 3). Accordingly, Staff and electricity providers conducted many workshops for the purpose of developing rules regarding interconnection.

Since that time, the Illinois General Assembly enacted the Net Metering Statute, 220 ILCS 5/16-107.5. Net meters are used by persons or entities that interconnect. The Net Metering Statute requires electricity providers to offer net meters to the public by no later than April 1, 2008. (220 ILCS 5/16-107.5(j)). The Net Metering Statute also directs this Commission to establish standards for net metering and for “interconnection of eligible renewable generating equipment to the utility system.” (220 ILCS 5/16-107.5(h)).

To fulfill the obligations the Net Metering Statute imposes upon this Commission, the Commission Staff has adopted 83 Ill. Adm. Code 466, entitled “Electric Interconnection of Distributed Generation Facilities. In a Staff Report dated March 11, 2008, the Staff of the Commission’s Energy Division recommended that the Commission use the emergency rulemaking procedure in order to ensure that the Net Metering Statute is properly implemented. The Staff also proffered permanent rules. Staff’s recommendations are reasonable and they should be adopted. With Part 466, this Commission will have rules regarding net meters (Part 465) and the underlying interconnection that takes place whenever the Net Metering Statute is invoked.

The Commission, having considered the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) the Commission has subject-matter jurisdiction;
- (2) use of emergency rulemaking is necessary to fully effectuate 220 ILCS 5/16-107.5 in a timely manner;
- (3) 83 Ill. Adm. Code 466, attached hereto as Appendix A to this Order should be adopted on an emergency basis pursuant to Section 5-45 of the Illinois Administrative Procedure Act and a Notice of Emergency Rule should be submitted to the Secretary of State pursuant to Section 5-45 of the Illinois Administrative Procedure Act;
- (4) the Notice of the Rule, 83 Ill. Adm. Code 466, as reflected in Appendix B to this Order, should be submitted to the Illinois Secretary of State pursuant to Section 5-40 of the Administrative Procedure Act;
- (5) this proceeding should be conducted as a rulemaking; its scope is limited to development of electric interconnection rules;

- (6) the Staff Report dated March 11, 2008, is hereby made a part of the record of this proceeding.

IT IS THEREFORE ORDERED that 83 Ill. Adm. Code 466, as reflected in Appendix A to this Order, is adopted on an emergency basis pursuant to Section 5-45 of the Illinois Administrative Procedure Act, to be effective April 1, 2008, and that the Notice of Emergency Rule shall be submitted to the Illinois Secretary of State.

IT IS FURTHER ORDERED that Appendix B, attached hereto, shall be submitted to the Illinois Secretary of State pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

IT IS FURTHER ORDERED that the Staff Report dated March 11, 2008 is made a part of the record of this proceeding.

IT IS FURTHER ORDERED that this Order is not final; it is not subject to the Administrative Review Law.

By Order of the Commission this 26th day of March, 2008.

(SIGNED) CHARLES E. BOX

Chairman